

**ORIGINAL**

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**EX PARTE OR LATE FILED**



September 18, 1998

**RECEIVED**

SEP 18 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

**RE: Ex Parte Presentation; WT 96-198**  
**"Access to Telecommunications Services, Telecommunications Equipment,**  
**and Customer Premises Equipment for Persons with Disabilities"**

Dear Ms. Salas:

On September 17, 1998, Kimberly Hunter of Bell Atlantic Mobile and the undersigned met with Elizabeth Lyle, Ed Jacobs, and Mary Woytek of the Wireless Telecommunications Bureau to discuss the Commission's implementation of Section 255 of the Telecommunications Act. A summary of the main discussion points is attached.

Please include a copy of this ex parte presentation in the record for the above captioned proceeding. If you have any questions, you may call me on (202) 336-7873.

A handwritten signature in cursive script, appearing to read 'Donald C. Brittingham'.

Attachment

cc: E. Lyle  
E. Jacobs  
M. Woytek

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## **Implementation of Section 255 of the Telecom Act of 1996**

### **“Access to Telecommunications Equipment and Services by Persons with Disabilities”**

**Bell Atlantic Ex Parte of September 17, 1998**

- The Commission can best implement Congress’s vision by creating a flexible regulatory approach that:
  - (1) gives the industry latitude to meet the mandates of Section 255 in a manner that will serve the needs of all customers for innovative products and services without unnecessary intrusive regulation;
  - (2) affords consumers a process for resolving accessibility problems in a non-adversarial manner and in a way that places minimal regulatory burdens on both consumers and the Commission; and
  - (3) assists industry in working with the disabled community to find common solutions to broad-based accessibility issues.
- **The Commission must not impose regulations that will stifle innovation.**
- The Commission should supplement and interpret the Access Board’s guidelines as needed to assist parties in resolving accessibility problems cooperatively and in expediting resolution of disputes that are brought to the Commission.
  - Section 255 applies to “telecommunications services” as the Commission has already defined such services.
  - Equipment compliance is the responsibility of manufacturers, not service providers. Service accessibility cannot be considered “readily achievable” if required equipment and software is not readily available from the manufacturer.
  - The Commission has appropriately defined “readily achievable” to include factors such as technical feasibility, expense, and the practicality of making the product accessible (e.g., effects on marketability, company resources, etc.).

- Only the resources of the entity offering the product or service should be considered in making determinations about what resources are available for providing accessibility.
- The Commission and the TAAC correctly recognize that full accessibility may be limited by feasibility, expense, or practicality. Employing a “product line” approach in many cases would increase overall accessibility.
- To the extent that a “**fast track**” process is needed to resolve accessibility problems, it should be viewed as a non-adversarial opportunity to resolve issues before they mature into a more formal dispute.
  - Consumers should contact the service provider or manufacturer first.
  - Sufficient time (e.g., 15 days) must be allowed to study the problem and provide a response.
  - There should be minimal standing requirements – i.e., the complainant must be disabled or be represented by a public or private organization representing the disabled and assert that he or she has a need to obtain a product or service that is accessible to persons with a particular disability.
  - If the “fast track” process is unable to resolve the problem, the Commission should rely on its existing informal and formal complaint procedures.
- The Commission should consider the use of broad-based advisory groups to help resolve industry-wide issues.
  - Representatives from the disabled community, telecommunications service providers, and equipment manufacturers.

**BELL ATLANTIC**  
**COMMITMENT TO IMPROVED ACCESSIBILITY**

**Bell Atlantic is committed to satisfying the needs of all of its customers, including those with disabilities.**

- We established a **Consumer Advisory Board** to advise the company on issues of concern to consumers. This Board includes cross-disability representation by nationally-known disability leaders (Nancy Bloch of NAD and Judy Brewer of WWW Accessibility Project).

**Bell Atlantic has undertaken extensive outreach efforts to determine the needs of individuals with disabilities and to identify possible solutions to their problems.**

- We have long-standing relationships with disability-related organizations, including the *American Council of the Blind*, the *American Foundation for the Blind*, the *National Association of the Deaf*, the *National Organization on Disabilities*, the *Massachusetts Assistive Technology Partnership Center*, *Self Help for Hard of Hearing People, Inc.*, and the *World Institute on Disability*.
- In partnership with the New York State Office of the Advocate for Persons with Disabilities, we have established several Technology Related Assistance for Individuals with Disabilities Centers throughout NY that enable people with disabilities to learn about and test assistive equipment.
- We include individuals with disabilities in market research studies, as well as in product testing and service trials.

**Bell Atlantic is modifying internal processes to be more responsiveness to the needs of our customers with disabilities.**

- We have established a **Communications Center for Individuals with Disabilities** in Marlboro, Mass. to provide customer service specifically tailored to those with disabilities.
- We plan to have Braille or enlarged print bills available to all of our local customers by the end of 1998.

**Bell Atlantic has taken forthright action to increase the accessibility of its products and services.**

- We have adopted a set of **Universal Design Principles** (attached) that will be employed when designing new products and services, and a senior executive has been assigned the responsibility of ensuring compliance.
- We have gone beyond the requirements of Section 255 by assessing our existing services to improve overall accessibility. Some examples of products that meet the needs of customers with disabilities are:
  - IDentaRing
  - Caller ID and Talking Caller ID
  - Call Waiting with Visual Flasher
  - Repeat Dialing
  - VoiceDialing
  - Assistive devices and dialing aids
- **We recently pledged our commitment to provide 7-1-1 service for deaf and hard of hearing customers throughout our service area.**

## **BELL ATLANTIC'S UNIVERSAL DESIGN PRINCIPLES**

Bell Atlantic has taken forthright action to increase the accessibility of its products and services by adopting a set of Universal Design Principles that will be employed when designing new products and services. These principles are:

- Provision of quality services that can reasonably accommodate a broad range of diverse users, including individuals with disabilities;
- Review of existing services to determine which services should be made more accessible;
- Design and development of services, to the extent readily achievable, so as to be accessible to a broad range of diverse users;
- Marketing and provision of services in a manner consistent with accessibility by a broad range of diverse users; and
- Employment of universal design principles company-wide, in our relationships with customers, employees, shareholders and suppliers.

## **BELL ATLANTIC MOBILE DISABILITY OUTREACH**

BAM currently sells equipment that will "fit" with a TTY device. Due to various sizes and structure compatibility of many make and models. **The BAM phones listed below can be used with a TTY device:**

Motorola 3 Watt car phones and transportable phones:

- Motorola SE (Special Edition)
- Motorola Tote

Audiovox 3 Watt car phones and transportable phones:

- Audiovox CTX 36600
- Audiovox PRT 9100

Portable Phones:

- Audiovox MVX855
- Motorola Profile 300
- Motorola DPC 650
- Motorola Elite

All phones and attachments are available at all communications stores and the Orangeburg Fulfillment Center. BAM policy dictates that if a phone and the TTY attachment is unavailable when requested BAM will ship the merchandise next day air at no cost to the customer.

- In addition, BAM makes available the **HAITS device** as an accessory product to those individuals that are profoundly deaf. The Hatis device is an accessory which attaches to the back of the ear and plugs into any Bell Atlantic Mobile phone with a headset jack. 90% of all phones that Bell Atlantic Mobile sells are equipped with a headset jack. The HATIS device is available at the Orangeburg Fulfillment Center.

Customers can now obtain the following accurate and up to date information from BAM customer service department:

- What BAM phones are compatible with a TTY device
- How a TTY device works
- 800 numbers of all "relay operators" in the United States
- Trouble shooting tips for those customers having difficulty connecting their TTY call
- CTIA website address for more information concerning accessible service available to people with disabilities
- BAM and CTIA have worked to develop common language (the E911 TTY/Digital Notification message) that is currently being used in all communication pieces. (see notification strategy).
- BAM is currently working on a list of BAM product and services that although not specifically designed or developed for our disabled customers, the fundamental characteristics of the service or product is easily accessible to people with disabilities. For example talk dial will aid those individuals who are visually impaired.

## E911 TTY/DIGITAL NOTIFICATION STRATEGY

Type of Customer	Possible Methods of Notification	Target Delivery Date
<b>Current Wireless Customers: (Active)</b> <ul style="list-style-type: none"> <li>• Individual accounts</li> <li>• Resellers</li> <li>• National/corporate accounts</li> </ul>	<ul style="list-style-type: none"> <li>• Bill message</li> <li>• Information on internet site</li> </ul>	<ul style="list-style-type: none"> <li>• June bill cycle (optional to repeat quarterly)</li> </ul>
<b>New Wireless Customers: (Education- at point of sale- for people considering purchasing wireless services)</b> <ul style="list-style-type: none"> <li>• Indirect &amp; direct channels</li> <li>• Individual</li> <li>• Reseller</li> </ul>	<ul style="list-style-type: none"> <li>• Sales/customer care representatives</li> <li>• Product information in box (text in Welcome to Bell Atlantic Mobile Guide)</li> <li>• Internet sites (purchase on-line)</li> </ul>	<ul style="list-style-type: none"> <li>• June/ongoing sent notification fact sheet to all regional customer care representatives</li> <li>• December/ongoing product information in box (text in Welcome to Bell Atlantic Mobile Guide)</li> <li>• Provide information on disability on BAM internet site ASAP</li> <li>• June/ongoing Refer customer to CTIA website</li> </ul>
<ul style="list-style-type: none"> <li>• BAM and CTIA worked to develop common language (the message) that is currently being used in all communication pieces.</li> <li>• Overall plan with deliverables and dates were communicated to CTIA in preparation for FCC quarterly reports.</li> </ul>		